

City Council Introduction: **Monday**, November 26, 2001
Public Hearing: **Monday**, December 3, 2001, at **1:30 p.m.**

Bill No. 01-180

FACTSHEET

TITLE: **STREET VACATION NO. 01020**, requested by Roger and Dorothy Schmidt, to vacate the south half of Pine Lake Road, west of South 14th Street.

STAFF RECOMMENDATION: A finding of conformance with the Comprehensive Plan.

SPONSOR: Planning Department

BOARD/COMMITTEE: Planning Commission
Public Hearing: Consent Agenda, 11/14/01
Administrative Action: 11/14/01

RECOMMENDATION: A finding of conformance with the Comprehensive Plan (9-0: Krieser, Newman, Steward, Bills, Taylor, Duvall, Carlson, Hunter and Schwinn voting 'yes').

FINDINGS OF FACT:

1. The staff recommendation to find the proposed street vacation to be in conformance with the Comprehensive Plan is based upon the following analysis:
 - A. This is a request to vacate the south ½ of the unopened Pine Lake Road abutting this lot. Vacation of the north ½ is currently on pending at the City Council.
 - B. The south half of Pine Lake Road abutting to the west has been vacated. The north ½ of this road, west of Lazy Acres Subdivision has been vacated as part of the Wilderness Park Estates subdivision.
 - C. The Public Works Department has recommended approval, with a permanent easement established for existing and future LES facilities and for future sanitary sewer.
 - D. This street is not shown in the Comprehensive Plan's Functional Street and Road Classification Map for future use as a public street.
 - E. The Real Estate Division has not established a sales price for the right-of-way at this date.
2. This application was placed on the Consent Agenda of the Planning Commission on November 14, 2001, and opened for public hearing. No one came forward to speak.
3. The Planning Commission agreed with the staff recommendation.

FACTSHEET PREPARED BY: Jean L. Walker

DATE: November 19, 2001

REVIEWED BY: _____

DATE: November 19, 2001

REFERENCE NUMBER: FS\CC\FSV01020

LINCOLN CITY/LANCASTER COUNTY PLANNING STAFF REPORT

P.A.S.: STREET AND ALLEY VACATION NO 01020

DATE: August 29, 2001

PROPOSAL: Vacate Pine Lake Road west of South 14th Street.

LAND AREA: 3,958.35 Square feet

CONCLUSION: The request conforms to the Comprehensive Plan.

RECOMMENDATION: Conforms to the Comprehensive Plan

GENERAL INFORMATION:

LEGAL DESCRIPTION: Pine Lake Road right-of-way, abutting Lot 50, I.T.(formerly Lot 6 I.T.), located in the NE 1/4 of the NE 1/4 of Section 23, Township 9 North, Range 6 East of the 6th P.M., Lincoln, Lancaster County, Nebraska.

LOCATION: Generally west of South 14th and Pine Lake Road

APPLICANT: Roger D. Schmidt and Dorothy A. Schmidt
6801 South 14th Street
Lincoln, Ne. 68512
(402) 423-8851

OWNER: Roger D. Schmidt and Dorothy A. Schmidt

CONTACT: same

SURROUNDING LAND USE AND ZONING:

North: Lazy Acres, acreage subdivision, zoned R-1 Residential.
South: Two acreage lots, zoned AG Agriculture.
East: Lincoln Memorial Park Cemetery, zoned R-1 Residential.
West/Southwest: Lincoln Public Schools, zoned I-3 Industrial

ASSOCIATED APPLICATIONS: Street vacation 00023, the north half of this street abutting Lazy Acres Subdivision, is currently on pending at City Council.

HISTORY: All this area has been annexed into the City. The western portion of Pine Lake Road has been vacated within the last year.

COMPREHENSIVE PLAN SPECIFICATIONS: In Conformance. Pine Lake Road between 1st and 14th is not shown in the plan.

UTILITIES: Existing residential uses have private sewer and water. LES is requesting that a permanent easement be retained for existing and future facilities. Public Works is requesting an easement for a future sanitary sewer.

TOPOGRAPHY: Flat, draining to the west and south.

TRAFFIC ANALYSIS: Street not needed for vehicular circulation.

PUBLIC SERVICE: Lincoln Public School, Fire and Police. Water is in 14th Street. Sewer is existing to the west, adjacent to the rail line. Existing residential uses currently have private well and waste water systems.

REGIONAL ISSUES: None

ENVIRONMENTAL CONCERNS: None

AESTHETIC CONSIDERATIONS: None

ALTERNATIVE USES: NA

ANALYSIS:

1. This is a request to vacate the south ½ of the unopened Pine Lake Road abutting this lot. Vacation of the north ½ is currently on pending at the City Council.
2. The south half of Pine Lake Road abutting to the west has been vacated. The north ½ of this road, west of Lazy Acres Subdivision has been vacated as part of the Wilderness Park Estates subdivision.
3. The Public Works Department has recommended approval, with a permanent easement established for existing and future LES facilities and for future sanitary sewer.
4. This street is not shown in the Comprehensive Plan's Functional Street and Road Classification Map for future use as a public street.
5. The Real Estate Division has not established a sales price for the right-of-way at this date.

BEFORE THE VACATION REQUEST IS SCHEDULED ON THE CITY COUNCIL AGENDA THE FOLLOWING MUST BE COMPLETED:

- 1.1 The provisions of Chapter 14.20 of the Lincoln Municipal Code are met.

- 1.2 Retain permanent easement for existing and future electric facilities.
- 1.3 Retain permanent easement for future sanitary sewer.

Prepared by:

Mike DeKalb, AICP
Planner

STREET VACATION NO. 01020

CONSENT AGENDA

PUBLIC HEARING & ADMINISTRATIVE ACTION

BEFORE PLANNING COMMISSION:

November 14, 2001

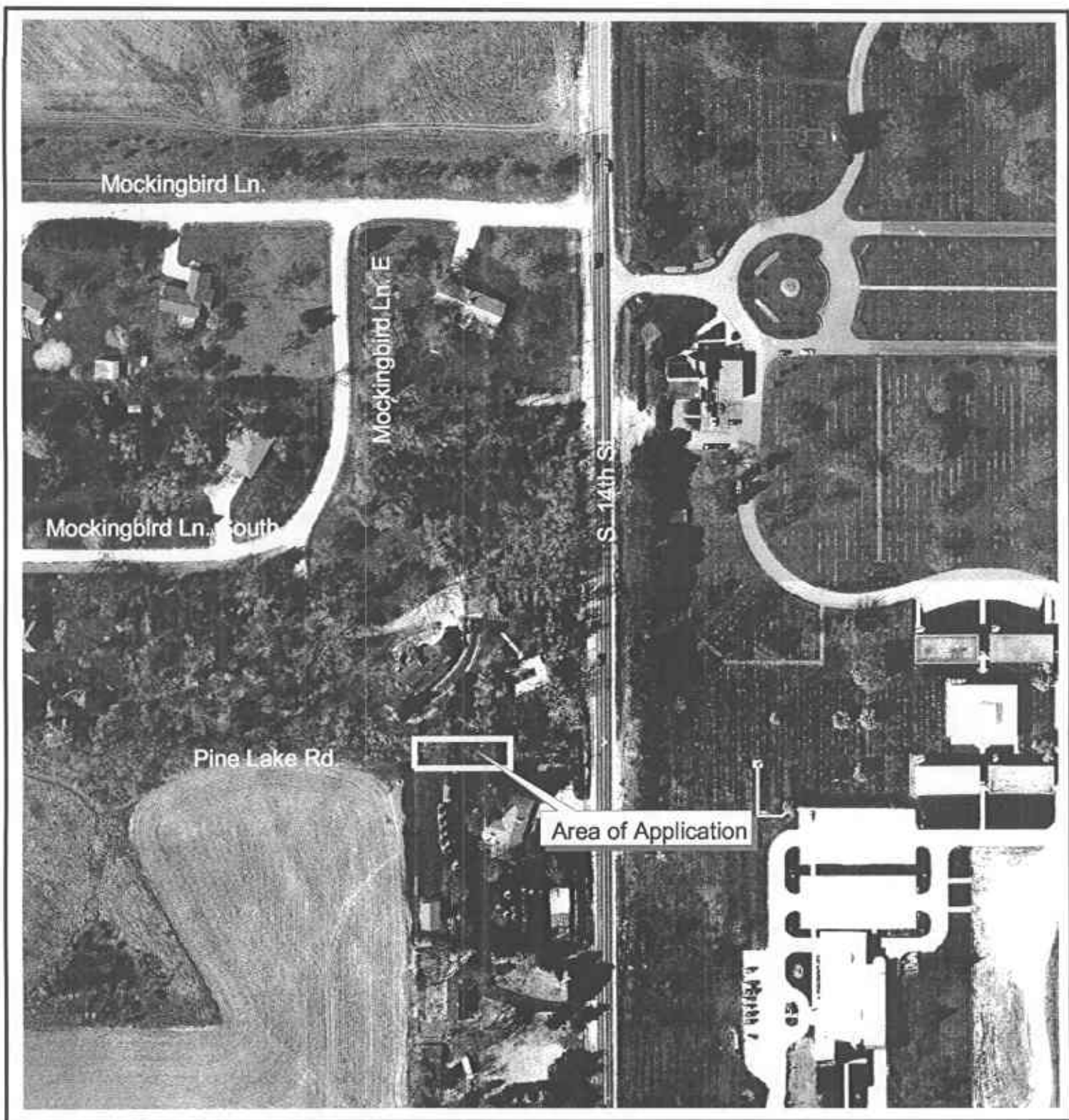
Members present: Bills, Carlson, Duvall, Hunter, Krieser, Newman, Schwinn, Steward and Taylor.

The Consent Agenda consisted of the following items: **CHANGE OF ZONE NO. 3344; CHANGE OF ZONE NO. 3345; SPECIAL PERMIT NO. 1942; SPECIAL PERMIT NO. 1944; FINAL PLAT NO. 00035, FINIGAN RIDGE ADDITION; FINAL PLAT NO. 01012, WILMER'S 2ND ADDITION; FINAL PLAT NO. 01020, NORTH CREEK BUSINESS PARK ADDITION; COUNTY FINAL PLAT NO. 01029, POST ROCK PINES; STREET AND ALLEY VACATION NO. 01020; WAIVER OF DESIGN STANDARDS NO. 01019; and MISCELLANEOUS NO. 01011.**

Item No. 1.2, Change of Zone No. 3345; Item No. 1.4, Special Permit No. 1944; and Item No. 1.11, Miscellaneous No. 01011 were removed from the Consent Agenda and scheduled for separate public hearing.

Newman moved to approve the remaining Consent Agenda, seconded by Steward and carried 9-0: Bills, Carlson, Duvall, Hunter, Krieser, Newman, Schwinn, Steward and Taylor voting 'yes'.

Note: This is final action on Special Permit No. 1944; Finigan Ridge Addition Final Plat No. 00035; Wilmer's 2nd Addition Final Plat No. 01012; and North Creek Business Park Addition Final Plat No. 01020, unless appealed to the City Council by filing a letter of appeal with the City Clerk within 14 days of the action by Planning Commission.



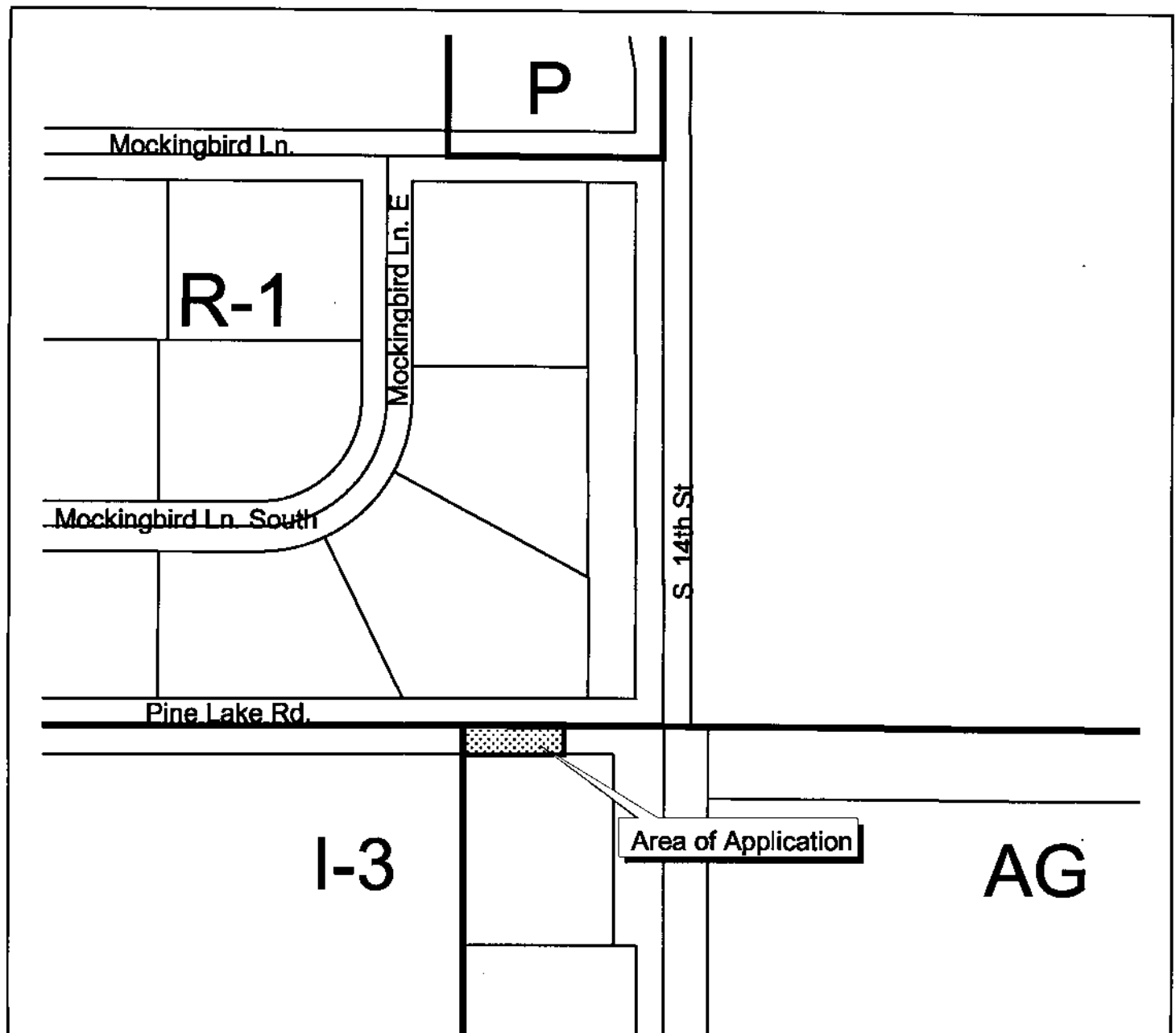
Street & Alley Vacation #01020
Pine Lake Rd. & S. 14th St.



006

Photograph Date: 1999

Lincoln City - Lancaster County Planning Dept.

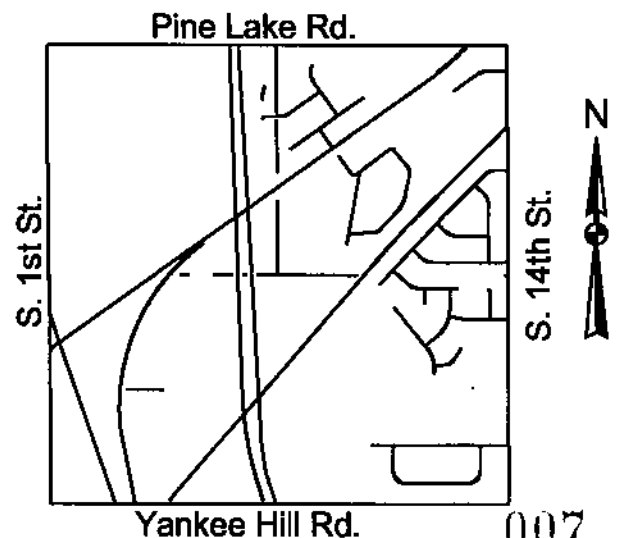
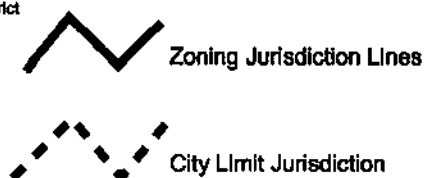


Street & Alley Vacation #01020 Pine Lake Rd. & S. 14th St.

Zoning:

R-1 to R-8	Residential District
AG	Agricultural District
AGR	Agricultural Residential District
R-C	Residential Conservation District
O-1	Office District
O-2	Suburban Office District
O-3	Office Park District
R-T	Residential Transition District
B-1	Local Business District
B-2	Planned Neighborhood Business District
B-3	Commercial District
B-4	Lincoln Center Business District
B-5	Planned Regional Business District
H-1	Interstate Commercial District
H-2	Highway Business District
H-3	Highway Commercial District
H-4	General Commercial District
I-1	Industrial District
I-2	Industrial Park District
I-3	Employment Center District
P	Public Use District

One Square Mile
Sec. 23 T9N R6E



Sheet ___ of ___

Date:

Lincoln City - Lancaster County Planning Dept.

Lincoln



Nebraska's Capital City

October 15, 2001

Lincoln City/Lancaster County
Planning Commission
Lincoln, NE 68508

RE: Vacation of the south half of Pine Lake Road, west of So. 14th Street, adjacent to Lot 50 I.T. (formerly Lot 6 I.T.)

Dear Ladies and Gentlemen:

The Department of Public Works and Utilities has received a proper petition from Roger and Dorothy Schmidt, owners of Lot 50 Irregular Tract (formerly Lot 6 Irregular Tract), located in the northeast quarter of Section 23, Township 9 North, Range 6 East to vacate the south half of Pine Lake Road adjacent to said lot.

The Lincoln Electric System has requested that a permanent easement be established for the entire vacated area for existing and future facilities. Public Works is also asking for an easement for a future sanitary sewer.

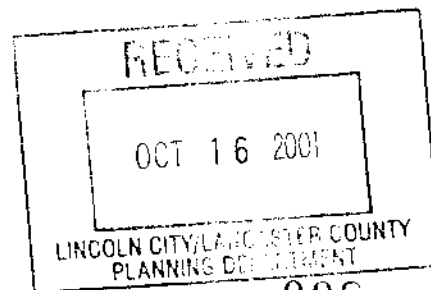
The Department of Public Works recommends approval of this vacation request with the above mentioned conditions. This vacation contains an area of 3,958.35 square feet, more or less.

Sincerely,

Byron Blum
Engineering Services

fcp wpnklvac blb

cc: Mayor Wesely
Allan Abbott
Kathleen Sellman
Marc Wullschleger
Roger Figard
Joan Ross
Clint Thomas
Dana Roper
Nicole Fleck-Tooze



008

LOT 52 I.T.

MOCKINGBIRD

LANE

NORTH

LAZY

2

ACRES

MOCKINGBIRD

LANE

SOUTH

MOCKINGBIRD
LA. EAST

MOCKINGBIRD
LA. WEST

OUTLOT A

SO.

PINE LAKE RD.

LOT 52

LOT 50 I.T.

LOT 51 I.T.
1.10 +/- AC.

ST.